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OFFICE OF PETITIONS

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| In re Application of | : | |
| Cooke, et al. | : | |
| Application No. 10/662,129 | : | DECISION ON PETITION |
| Filed: September 12, 2003 | : | |
| Attorney Docket No. 279.445US1 | : | |

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed January 25, 2008.

The petition is **GRANTED**.

The above-identified application was held abandoned for failure to timely file a response to the non-final Office action, mailed June 4, 2007. This Office action set a shortened statutory period for reply of three (3) months. The Office mailed a Notice of Abandonment on December 28, 2007, stating that no reply had been received.

A review of the application file reveals the presence of an Amendment, filed on December 10, 2007. The Amendment was made timely with a three month extension of time, and with a Certificate of Mailing dated December 4, 2007. Accordingly, it is concluded that the Notice of Abandonment was mailed in error.

In view thereof, **the holding of abandonment is withdrawn.**

The matter is being forwarded to Group Art Unit 3762 for consideration of the Amendment filed December 10, 2007 (Certificate of Mailing dated December 4, 2007).

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo

Cliff Congo
Petitions Attorney
Office of Petitions